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April 3, 2003

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Washington, D.C. 20554

Re: CC Docket No. 94-102, ex parte communication

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Rules, this is to advise you that John Melcher, President of the National Emergency Number Association ("NENA"); James Goerke, NENA's Wireless E911 Implementation Director; Steve Seitz, NENA Governmental Affairs Director; and the undersigned as counsel met yesterday with Wireless Telecommunications Bureau Chief John Muleta, WTB Policy Division Chief Blaise Scinto and members of their staffs.

On the same day, we met with Paul Margie, Legal Advisor to Commissioner Copps; Bryan Tramont, Senior Legal Advisor to Chairman Powell; and Sam Feder, Legal Advisor to Commissioner Martin.

Today, the four NENA representatives met with Commissioner Adelstein and his Legal Advisor, Barry Ohlson, and with Jennifer Manner, Legal Advisor to Commissioner Abernathy.

In each meeting, we spoke about the NENA Strategic Wireless Actions Team ("SWAT") undertaking to explore the potential for a new public safety/wireless industry consensus on Phase I and Phase II implementation. We discussed the complementary nature of that undertaking and the FCC's E911 Coordination Initiative scheduled for April 29th. The attached letter summarizes the information conveyed. A separate copy of the letter has been addressed and sent to each Commissioner.

Sincerely,

James R. Hobson

*cc: B. Scinto for WTB, P. Margie, B. Tramont, S. Feder, B. Ohlson, J. Manner*



April 2, 2003

Dear FCC Commissioners:

As we continue to work collaboratively with the FCC toward the goal of E9-1-1 “everywhere and anywhere”, we thought it would be helpful to provide you with an update on the state of progress within NENA Strategic Wireless Action Team (SWAT), and to further explore how we can best coordinate with and support the FCC’s upcoming *E911 Coordination Initiative* meeting on April 29<sup>th</sup>.

We would first like to thank the FCC for its increased prioritization of E9-1-1, beginning with the commissioning of the Hatfield Report, and reinforced by other activities such as the FCC’s substantial participation in NENA’s recent Critical Issues Forum, statements to Congress, and of course the act of launching of the *E911 Coordination Initiative* itself. We are particularly appreciative of having had two FCC members, Blaise Scinto and Lauren Kravetz, attend our first “Constituent Roundtable” this past March 14<sup>th</sup>. Their presence was productive, demonstrating the continued importance the FCC places on E9-1-1, and providing clarity around the coordination and complementarity of our two respective initiatives. We are also very appreciative that the FCC has seen fit to collaborate with NENA in its initial crafting of the FCC’s *E911 Coordination Initiative*, and we offer our continued support as you best see fit.

The NENA SWAT project is well on track and continues to make steady forward progress. Within the SWAT project we are particularly pleased with our efforts to build consensus with the many stakeholders. Specifically we have brought together all the relevant constituents — wireless and wireline telecommunications companies, state and local organizations, and the nation’s leading Public Safety groups: NENA, APCO and NASNA — in a cooperative effort to address — and resolve — the critical barriers to ubiquitous E9-1-1 deployment.

We had an excellent turnout at our recent stakeholder Constituent Roundtable, and were pleased at the level of engagement. We saw the beginnings of a highly productive dialog, and, importantly, a collective acknowledgement of the very real issues faced by each party. As anticipated, many issues remain outstanding. However, we did meet our objectives of emerging with a richer understanding of the pivotal issues that will require resolution as we drive toward a consensus solution.

As you may already know, we have engaged the Monitor Group, a preeminent strategy advisory firm and a recognized thought leader in telecommunications and technology, to provide facilitation and coordination for our Initiative as well as third party objective expert advice. They are also the key architect of the consensus recommendation we seek to ratify at the E9-1-1 CEO Summit we are planning for June 12.

At this point, while we would not overstate the level of consensus among the different parties, we are very encouraged by the progress we are making at our NENA SWAT meetings, the recent roundtable, and the ongoing one-on-one meetings between the various constituents and Monitor Group. This process truly is unprecedented in the breadth and depth of the commitment we see. With telecommunications and public safety collaborating, we are confident that this process will result in a positive public good through a more timely and broader deployment of E9-1-1.

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In this endeavor, we continue to reiterate our call for a cessation of "hostilities" on all sides, and for the benefit of all our constituents, to allow our process the time it requires to explore consensus and to avoid a reappearance of the negative, unproductive finger-pointing spirals that we all hope remain firmly in our collective past.

In that regard we also view the FCC's *E911 Coordination Initiative* as an important step forward and as a key complement to our process. We see your April 29<sup>th</sup> meeting as a key juncture for constituents to:

- Air their specific concerns and issues directly to the FCC;
- Step back and reflect on the root causes of our current E9-1-1 predicament, as aptly characterized in the Hatfield report;
- Share ideas and potential solution elements, including those stemming from NENA SWAT; and
- Solicit comments and suggestions from the FCC.

We believe there are multiple ways in which the FCC might find NENA's participation in the April 29 meeting helpful. Here are a few of the possibilities, none of them mutually exclusive, which we would hope to discuss with you soon in the days ahead:

- As a stakeholder, together with other public safety organizations, represent the views of the PSAP community;
- As a participant, providing expert advice on issues cutting across the E9-1-1 system, e.g., regarding operational or technical issues;
- As a presenter, we would be happy to offer the Monitor Group to provide an overview of the solution elements under consideration within our process.

We also would like to specifically suggest that in order to help make your April 29<sup>th</sup> meeting as productive as possible, that we would be happy to meet and share with you the benefit of the substantial learning we have accumulated through NENA SWAT, our Constituent Roundtable, and the intensive on-going one-on-one discussions the Monitor Group has had with each of the constituents in our process. We believe that such an in-depth, collaborative discussion of the solution options, tradeoffs, and the *collective* views of the constituents in advance of your April 29<sup>th</sup> meeting could materially enhance its outcome.

We look forward to participating in the April 29<sup>th</sup> meeting and discussing ideas for the meeting. In the interim, we will continue to press forward with our process, and will provide any relevant updates. Once again, we thank the FCC for its commitment to making E9-1-1 a reality.

Sincerely,



John Melcher  
NENA, President